

This op-ed, co-written by Congressman Quigley and Chicago Mayor Richard M. Daley originally ran in the [Chicago Sun-Times](#) on December 19, 2009.

For nearly three decades, Chicago lawmakers have been working to keep Chicagoans safe by keeping guns off our streets and out of dangerous hands.

In 1982, the City Council made it illegal to own a handgun within Chicago's city limits. Since then, the number of registered handguns has dropped by more than 200,000, and the homicide rate has been cut nearly in half since 1991. Guns have become scarcer, saving lives and creating safer neighborhoods.

But now -- 27 years later -- the Chicago handgun ban is in jeopardy, and so too is the capacity of local governments to pass laws that make their communities safer places to live.

The U.S. Supreme Court has agreed to hear McDonald vs. the City of Chicago, which challenges the gun ban's legality.

The city is filing a brief in defense of the ban's constitutionality. In addition, Rep. Mike Quigley will be supporting Chicago's defense by working with gun-control advocates to file a "friends of the court" amicus brief before the Supreme Court hears arguments later this winter.

We must make it clear to our nation's highest court that the solution to gun violence is not more guns and more children fearing for their safety.

Last year, the court struck down a similar statute in Washington, D.C. (District of Columbia vs. Heller), ruling that the 2nd Amendment entitles people to keep handguns at home for self-protection.

The Heller case dealt with a law enacted by the federal government, while the McDonald case begs the question of whether the 2nd Amendment applies to the states. Various historical and legal arguments will be made on both sides, but in the end, there is only one proper conclusion for the court to reach: the city's ban is constitutional because a government--above all else -- must be able to provide for the safety and public welfare of its citizens.

The Supreme Court has held that the right protected by the 2nd Amendment is not absolute, but is instead subject to government regulation. Here, deference to the Chicago City Council is appropriate, where a local body with intimate knowledge of local issues has determined--with

the support of its residents--how to best address those issues. The opposition will argue that a prohibition on handguns is a prohibition on liberty; yet in urban environments, where handgun abuse is so rampant, the protection of a right to handguns undermines, rather than guarantees, liberty.

Simply put, firing a weapon on a busy city street, even in justifiable self-defense, poses a greater risk to the rights of others than firing a weapon in an open field--especially when you consider that these roads are our students' passageways to and from school.

Five hundred Chicago Public School students have been involved in a gun-related incident in the last two years. In Chicago, greater measures must be taken to protect our citizens than may be necessary in places where gangs are less prevalent.

Chicago has suffered extensive loss of life, threats to the safety and security of law enforcement personnel, disruption to its economy, and massive health care costs associated with gun violence. The 2nd Amendment does not constrain the ability of local officials to respond to the dire problems that threaten to destroy their communities.

We know, unfortunately, that Chicago's gun ban is not a panacea that single-handedly prevents other types of violence or illegal guns on our streets. That said, overturning this law would bring even more guns into Chicago homes, too many of which would make their way on to Chicago streets or be used unsafely or accidentally. It defies common sense, but reminds us that we

must look toward more comprehensive solutions.

We support efforts to renew the life-saving Assault Weapons Ban, which limited the sale of semiautomatic weapons until Congress refused to extend it past 2004. We're fighting to close the gun-show loophole, a lapse in gun-control law that allows unlicensed gun dealers to sell weapons without performing a background check. And we're working with local families, advocates, and law enforcement to protect our neighborhoods together.

A local government's ability to protect its citizens from harm lies at the heart of legislating to advance the public welfare. The Supreme Court would be wise to let Chicago's laws continue to protect Chicagoans. It is not only constitutionally consistent, but what is best for Chicago.

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